

SUMMARY OF THE RESTRICTION REQUIREMENT

The Office Action mailed on 19 September 2007 states as follows:

Claims 1-74 are presented for Examination.

The Patent Office identifies four purported distinct species of inventions:

Group I: Claims 1-3 (Non-abrasive sheet disk);

Group II: Claims 4-28 (Continuous abrasive sheet disk);

Group III: Claims 29-54 (Continuous abrasive sheet web);

Group IV: Claims 55-74 (Continuous abrasive rectangular sheet).

Applicants have been required to elect a single species for examination on the merits, and to identify which claims are directed towards that species.

RESPONSE TO THE RESTRICTION REQUIREMENT

Applicants elect, with traverse, the subject matter of Claims 29-54.

The traversal of the restriction applies only as between Groups III and IV, with the restriction requirement against Group I (Claims 1-3) and Group II (Claims 4-28) acknowledged and accepted.

The basis of the traversal is as follows.

The subject matter of the two Groups III and IV is not patentably distinct amongst each other. The sole difference in the broadest scope of the independent claims representing these three groups is the size of the sheets (continuous versus rectangular). Applicant will expressly admit on the record that the claimed inventions "would have been obvious over each other within the meaning of 35 USC 103", and therefore restriction should not be required. *In re Lee*, 199 USPQ 108 (Comm'r Pat. 1978). See M.P.E.P. Section 803.

There is no separate and distinct patentability as between a rectangular sheet of s specific material and a continuous sheet (blet) of that same material.

All of claims 4-74 should therefore be examined on the merits.

REMARKS

Applicant respectfully requests that this response be entered into the record prior to examination and consideration of the above-identified application.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicant's attorney of record, Mark A. Litman at (952) 832-9090.

Respectfully submitted,

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